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## NOTICE OF ALLOWANCE AND FEE(S) DUE

58328

7590

12/15/2009

SUN MICROSYSTEMS  
C/O SONNENSCHN NATH & ROSENTHAL LLP  
P.O. BOX 061080  
WACKER DRIVE STATION, WILLIS TOWER  
CHICAGO, IL 60606-1080

EXAMINER

MIRZA, ADNAN M

ART UNIT

PAPER NUMBER

2445

DATE MAILED: 12/15/2009

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/767,345	01/30/2004	James B. Clarke	06502.0577	5235

TITLE OF INVENTION: DYNAMIC PROVISIONING OF IDENTIFICATION SERVICES IN A DISTRIBUTED SYSTEM

APPLN. TYPE	SMALL ENTITY	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	\$1510	\$0	\$0	\$1510	03/15/2010

**THE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT. PROSECUTION ON THE MERITS IS CLOSED.** THIS NOTICE OF ALLOWANCE IS NOT A GRANT OF PATENT RIGHTS. THIS APPLICATION IS SUBJECT TO WITHDRAWAL FROM ISSUE AT THE INITIATIVE OF THE OFFICE OR UPON PETITION BY THE APPLICANT. SEE 37 CFR 1.313 AND MPEP 1308.

**THE ISSUE FEE AND PUBLICATION FEE (IF REQUIRED) MUST BE PAID WITHIN THREE MONTHS FROM THE MAILING DATE OF THIS NOTICE OR THIS APPLICATION SHALL BE REGARDED AS ABANDONED. THIS STATUTORY PERIOD CANNOT BE EXTENDED.** SEE 35 U.S.C. 151. THE ISSUE FEE DUE INDICATED ABOVE DOES NOT REFLECT A CREDIT FOR ANY PREVIOUSLY PAID ISSUE FEE IN THIS APPLICATION. IF AN ISSUE FEE HAS PREVIOUSLY BEEN PAID IN THIS APPLICATION (AS SHOWN ABOVE), THE RETURN OF PART B OF THIS FORM WILL BE CONSIDERED A REQUEST TO REAPPLY THE PREVIOUSLY PAID ISSUE FEE TOWARD THE ISSUE FEE NOW DUE.

## HOW TO REPLY TO THIS NOTICE:

I. Review the SMALL ENTITY status shown above.

If the SMALL ENTITY is shown as YES, verify your current SMALL ENTITY status:

A. If the status is the same, pay the TOTAL FEE(S) DUE shown above.

B. If the status above is to be removed, check box 5b on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and twice the amount of the ISSUE FEE shown above, or

If the SMALL ENTITY is shown as NO:

A. Pay TOTAL FEE(S) DUE shown above, or

B. If applicant claimed SMALL ENTITY status before, or is now claiming SMALL ENTITY status, check box 5a on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and 1/2 the ISSUE FEE shown above.

II. PART B - FEE(S) TRANSMITTAL, or its equivalent, must be completed and returned to the United States Patent and Trademark Office (USPTO) with your ISSUE FEE and PUBLICATION FEE (if required). If you are charging the fee(s) to your deposit account, section "4b" of Part B - Fee(s) Transmittal should be completed and an extra copy of the form should be submitted. If an equivalent of Part B is filed, a request to reapply a previously paid issue fee must be clearly made, and delays in processing may occur due to the difficulty in recognizing the paper as an equivalent of Part B.

III. All communications regarding this application must give the application number. Please direct all communications prior to issuance to Mail Stop ISSUE FEE unless advised to the contrary.

**IMPORTANT REMINDER:** Utility patents issuing on applications filed on or after Dec. 12, 1980 may require payment of maintenance fees. It is patentee's responsibility to ensure timely payment of maintenance fees when due.

# **PART B - FEE(S) TRANSMITTAL**

**Complete and send this form, together with applicable fee(s), to:** **Mail** **Mail Stop ISSUE FEE**  
**Commissioner for Patents**  
**P.O. Box 1450**  
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**INSTRUCTIONS:** This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 5 should be completed where appropriate. All further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated unless corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notifications.

CURRENT CORRESPONDENCE ADDRESS (Note: Use Block 1 for any change of address)

Note: A certificate of mailing can only be used for domestic mailings of the Fee(s) Transmittal. This certificate cannot be used for any other accompanying papers. Each additional paper, such as an assignment or formal drawing, must have its own certificate of mailing or transmission.

58328 7590 12/15/2009

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**P.O. BOX 061080**  
**WACKER DRIVE STATION, WILLIS TOWER**  
**CHICAGO, IL 60606-1080**

## **Certificate of Mailing or Transmission**

I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop ISSUE FEE address above, or being facsimile transmitted to the USPTO (571) 273-2885, on the date indicated below.

(Depositor's name)
(Signature)
(Date)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10767.345

01/30/2004

James B. Clarke

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**TITLE OF INVENTION: DYNAMIC PROVISIONING OF IDENTIFICATION SERVICES IN A DISTRIBUTED SYSTEM**

APPLN. TYPE	SMALL ENTITY	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	\$1510	\$0	\$0	\$1510	03/15/2010

EXAMINER	ART UNIT	CLASS-SUBCLASS
MIRZA, ADNAN M	2445	709-224000

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).

- ☐ Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.  
☐ "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-02 or more recent) attached. Use of a **Customer Number is required.**

2. For printing on the patent front page, list

- (1) the names of up to 3 registered patent attorneys or agents OR, alternatively, 1 \_\_\_\_\_  
(2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed. 2 \_\_\_\_\_  
3 \_\_\_\_\_

3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. If an assignee is identified below, the document has been filed for recordation as set forth in 37 CFR 3.11. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE

(B) RESIDENCE: (CITY and STATE OR COUNTRY)

Please check the appropriate assignee category or categories (will not be printed on the patent): ☐ Individual ☐ Corporation or other private group entity ☐ Government

4a. The following fee(s) are submitted:

- ☐ Issue Fee  
☐ Publication Fee (No small entity discount permitted)  
☐ Advance Order - # of Copies \_\_\_\_\_

4b. Payment of Fee(s): (Please first reapply any previously paid issue fee shown above)

- ☐ A check is enclosed.  
☐ Payment by credit card. Form PTO-2038 is attached.  
☐ The Director is hereby authorized to charge the required fee(s), any deficiency, or credit any overpayment, to Deposit Account Number \_\_\_\_\_ (enclose an extra copy of this form).

5. Change in Entity Status (from status indicated above)

- ☐ a. Applicant claims SMALL ENTITY status. See 37 CFR 1.27. ☐ b. Applicant is no longer claiming SMALL ENTITY status. See 37 CFR 1.27(g)(2).

NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.

Authorized Signature \_\_\_\_\_ Date \_\_\_\_\_  
Typed or printed name \_\_\_\_\_ Registration No. \_\_\_\_\_

This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

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## Determination of Patent Term Adjustment under 35 U.S.C. 154 (b) (application filed on or after May 29, 2000)

The Patent Term Adjustment to date is 1142 day(s). If the issue fee is paid on the date that is three months after the mailing date of this notice and the patent issues on the Tuesday before the date that is 28 weeks (six and a half months) after the mailing date of this notice, the Patent Term Adjustment will be 1142 day(s).

If a Continued Prosecution Application (CPA) was filed in the above-identified application, the filing date that determines Patent Term Adjustment is the filing date of the most recent CPA.

Applicant will be able to obtain more detailed information by accessing the Patent Application Information Retrieval (PAIR) WEB site (<http://pair.uspto.gov>).

Any questions regarding the Patent Term Extension or Adjustment determination should be directed to the Office of Patent Legal Administration at (571)-272-7702. Questions relating to issue and publication fee payments should be directed to the Customer Service Center of the Office of Patent Publication at 1-(888)-786-0101 or (571)-272-4200.

**Notice of Allowability****Application No.**

10/767,345

**Applicant(s)**

CLARKE ET AL.

**Examiner**

ADNAN MIRZA

**Art Unit**

2445

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 08/12/2009.
2. ☒ The allowed claim(s) is/are 1,3-11 and 14-22.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some\* c) ☐ None of the:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.  
(a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached  
1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.  
(b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.  
**Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).**
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),  
Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),  
Paper No./Mail Date \_\_\_\_\_
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_.

/Rupal D. Dharia/  
Supervisory Patent Examiner, Art Unit 2400

1 EXAMINER'S AMENDMENT

2

3 An Examiner's Amendment to the record appears below. Should the  
4 changes and/or additions be unacceptable to applicants, an amendment  
5 may be filed as provided by 37 CFR 1.312. To ensure consideration of  
6 such an amendment, it must be submitted no later than the payment of the  
7 issue fee.

8

9 Authorization for this Examiner's Amendment was given in a telephone  
10 interview with Day Michael L. on 12/01/09.

11

12 Please amend claims 1,11,17 and cancel claims 12 and 13.

13

14 Listing of Claims

15

16 1. (currently amended) A method for providing an identification service in  
17 a distributed system, said identification service comprising a plurality of  
18 service elements, said method comprising:  
19 for at least one of the plurality of service elements, determining  
20 whether an application corresponding to the service element is running in  
21 the distributed system;  
22 dynamically creating an application corresponding to the service  
23 element, when said determining step determines that the application is not  
24 running, wherein each service element comprises an adapter that receives  
25 identification data from a reader, a filter that processes the identification

data, and a logger that receives the processed data from the filter and notifies a recipient of the processed data; and monitoring the service elements to determine whether any service element fails, wherein:

the dynamically creating further comprises (a) downloading code for the application corresponding to each service element from a code server in the distributed system; and (b) registering the application corresponding to each service element with a registry service in the distributed system; and .

the identification information further includes at least one of: a location of the item, a time the identification information was read from the item, a date the identification information was read from the item, an identifier of the reader, and a location of the reader.

2. (canceled)

3. (previously presented) The method of claim 1, wherein an event handling protocol establishes communication whereby the identification data is transmitted as an event produced by the adapter.

4. (previously presented) The method of claim 1, wherein an event handling protocol establishes communication whereby the processed data is transmitted as an event produced by the filter.

5. (previously presented) The method of claim 1, wherein an event handling protocol establishes communication whereby the user is notified by an event produced by the filter.

55 6. (original) The method of claim 1, further comprising re-establishing  
56 communication with a service element, when the service element fails.

57

58 7. (original) The method of claim 1, wherein the service elements further  
59 include a queue, the method further comprising:  
60 receiving, by the queue, the identification data; and holding the  
61 identification data in queue for the filter.

62

63 8. (original) The method of claim 1, wherein the processing further  
64 comprises: extracting an identification code from the identification data,  
65 and wherein the processed data comprises the identification code.

66

67 9. (original) The method of claim 8, wherein the identification code is an  
68 electronic product code (EPC).

69

70 10. (original) The method of claim 1, wherein the reader is a Radio  
71 Frequency Identification (RFID) tag reader and the identification data  
72 represents an RFID tag.

73

74 11. (currently amended) A method for providing an identification service  
75 in a distributed system, said identification service comprising a plurality of  
76 service elements, said method comprising:

77 dynamically creating an application corresponding to at least one  
78 of the plurality of service elements, wherein each service element  
79 comprises an adapter that receives identification data from a reader, a  
80 filter, that processes the identification data, and a logger that receives the  
81 processed data from the filter and notifies a recipient of the processed  
82 data; and

83 monitoring the application corresponding to each service to  
84 determine whether any application fails, wherein:

85                   the dynamically creating further comprises (a) downloading  
86                   code for the application corresponding to each service element  
87                   from a code server in the distributed system; and (b) registering the  
88                   application corresponding to each service element with a registry  
89                   service in the distributed system; and .  
90                   the identification information further includes at least one of:  
91                   a location of the item, a time the identification information was read  
92                   from the item, a date the identification information was read from  
93                   the item, an identifier of the reader, and a location of the reader.

94

95

96

97       12. (canceled)

98

99       13. (canceled)

100

101       14. (original) The method of claim 11, wherein the reader is a Radio  
102       Frequency Identification (RFID) tag reader.

103

104       15. (original) The method of claim 11, wherein the identification code is  
105       an electronic product code (EPC).

106

107       16. (original) The method of claim 11, further comprising:  
108       formatting the processed data according to a format corresponding to the  
109       user.

110

111       17. (currently amended) A system for providing a distributed identification  
112       service comprising:

113               a reader service having comprising a plurality of service elements  
114       wherein each service element comprises: an adapter that receives



115 identification information from a reader, a filter that processes the  
116 identification information, and a logger that notifies a user of the  
117 processed information;  
118 a registry service that establishes the reader service;  
119 a monitor service that determines whether the reader service fails  
120 and  
121 a service provisioner that requests dynamic creation of an  
122 application corresponding to the service elements, if the application  
123 corresponding to the service elements is not running in the system,  
124 wherein:  
125 the dynamic creation of the application further comprises  
126 (a) downloading code for the application corresponding to each  
127 service element from a code server in the distributed system; and  
128 (b) registering the application corresponding to each service  
129 element with a registry service in the distributed system; and  
130 the identification information further includes at least one of: a location of  
131 the item, a time the identification information was read from the item, a  
132 date the identification information was read from the item, an identifier of  
133 the reader, and a location of the reader.

134  
135  
136 18. (original) The system of claim 17, further comprising: a code server  
137 containing code for use in establishing the reader service and its service  
138 elements.

139  
140 19. (original) The system of claim 17, wherein the reader is a Radio  
141 Frequency Identification (RFID) tag reader.

142

143 20. (original) The system of claim 17, wherein the reader is configured to  
144 read the identification information from an item, and the identification  
145 information includes an identification code for the item.

146

147 21. (original) The system of claim 20, wherein the identification code is  
148 an electronic product code (EPC).

149

150 22. (original) The system of claim 17, wherein the user is an application.

151

152

153

154

*Reasons for Allowance*

155

156 1. Claims 1, 3-11, 14-22 will be allowed.

157

158 2. The following is an examiner's statement of reasons for allowance.

159 The prior art references most closely resembling the applicants

160 claimed invention are Swann et al (U.S. 2005/0086239) and further in view  
161 of Bowman-Amuah (U.S 6,370,573).

162 First, Swann disclosed a configurable analysis systems that provide  
163 non-information technology specialists with the capability of modifying the  
164 ways in which information is organized. However Swann failed to disclose,  
165 "wherein: the dynamic creation of the application further comprises  
166 (a) downloading code for the application corresponding to each service  
167 element from a code server in the distributed system; and (b) registering  
168 the application corresponding to each service element with a registry  
169 service in the distributed system; and the identification information further

170 includes at least one of: a location of the item, a time the identification  
171 information was read from the item, a date the identification information  
172 was read from the item, an identifier of the reader, and a location of the  
173 reader". These limitations are incorporated into all of the independent  
174 claims (claims 1,11,17).

175

176         Second Bowman-Amuah disclosed managing an environment of a  
177 development architecture framework. Service of a system is managed  
178 based on service level agreements and /or operations level agreements.  
179 However Bowman-Amuah failed to disclose "wherein: the dynamic  
180 creation of the application further comprises (a) downloading code for the  
181 application corresponding to each service element from a code server in  
182 the distributed system; and (b) registering the application corresponding to  
183 each service element with a registry service in the distributed system; and  
184 the identification information further includes at least one of: a location of  
185 the item, a time the identification information was read from the item, a  
186 date the identification information was read from the item, an identifier of  
187 the reader, and a location of the reader". These limitations are  
188 incorporated into all of the independent claims (claims 1,11,17).

In summary, the Examiner submits that Swann and Bowman-Amuah taught all the limitations of independent claims in combination with other elements. Specifically prior art does not teach wherein: the dynamic creation of the application further comprises (a) downloading code for the application corresponding to each service element from a code server in the distributed system; and (b) registering the application corresponding to each service element with a registry service in the distributed system; and the identification information further includes at least one of: a location of the item, a time the identification information was read from the item, a date the identification information was read from the item, an identifier of the reader, and a location of the reader; therefore, claims 1, 3-11, 14-22 have been deemed allowable over the prior art.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Adnan Mirza whose telephone number is (571) 272-3885. The examiner can normally be reached on Monday through Friday from 9:30 A.M. to 6:00 P.M.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor Vivek Srivastava can be reached on (571)-272-7304. The fax phone

Art Unit: 2445

numbers for the organization where this application or proceeding is assigned are listed herein below.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703)746-7239. Customer service number is (866) 217-9197.

/NIVEK SRIVASTAVA/

Supervisory Patent Examiner, Art Unit 2445